

**TOWN OF POLK**  
**SPECIAL TOWN BOARD MINUTES**  
**June 2, 2009**

**I. Call Meeting to Order -7:30 P.M.** - a Special Meeting of the Town of Polk Town Board was called to order by Chairman Albert Schulteis at 7:30 p.m. at the Polk Town Hall. Chairman Schulteis lead with the Pledge of Allegiance.

**A. Official Meeting Notice** - Chairman Schulteis reported that the notice of the meeting was published in the West Bend Daily News on 5/19/09 and 5/26/09. Notice was sent for information only to the West Bend Daily News, the Hartford Times Press, WBKV, WTKM, Milwaukee Journal Sentinel and posted at the Town Hall, Highway View School, Cedar Hills bulletin boards, and also posted on the Town of Polk website.

**B. Roll Call** - Members present: Chairman Albert Schulteis, Supervisor Harold Groth, Supervisor Ted Merten, and Clerk Catherine Whelan.

**II. Public Hearing.** Chairman Albert Schulteis moved order of Public Hearing to Item D since Scott Schmidt was present, representing the Washington County Land & Water Conservation Division.

**D. Discussion & Possible Action to repeal and recreate Chapter 19 of the Code of Ordinances relating to Erosion Control and Stormwater Management** -Chairman Schulteis read the agenda item all ordinances and a copy of the ordinance was given to people attending the hearing to read.

Chairman Schulteis opened the public hearing, requesting Scott Schmidt, PE, RLS, Engineer/Surveyor, from Washington County Land & Water Conservation Division to present the Town's options relating to Erosion Control and Stormwater Management -

Scott Schmidt remarked the Town has adopted Chapter 19 of the Municipal Code of the Town of Polk, and adopted Ordinance 10-98 on October 13, 1998, which is under Option 2.

Scott Schimdt stated there are three options the Town could take.

**Option 1 - Town Ordinance/Town Administered** - Town could repeal its current code and rely totally on the Washington County Code.

**Option 2** - The Town could rescind its existing code and create the new code in its place under Chapter 19 of the Municipal Code, the code would be similar or the same as the Washington County's Code 17.

**Option 3 - County Ordinance/County Administered.** The Town could rescind its code and adopt its own code in its place, and instead of having Washington County doing the Erosion Control and Stormwater Management for the Township, the Town could hire a private firm to

handle this for them.

If in a year or three years, from now, you are unhappy, the Town can cancel the agreement with Washington County and hire your own firm.

Scott Schmidt stated he prefers that we adopt our own code, for if in the future the Town is dissatisfied with County you can just do one step and hire a private firm to hand the erosion control and stormwater management in the Town.

Chairman Schulteis stated in the existing code there is a termination clause allowing either, the County or Town, to cancel within 60 days.

Scott Schmidt agreed and stated the 60 days also allows you to adopt the code if you had not and then changed your mind in that period.

Chairman Schulteis ask how often there are mandated changes.

Scott Schmidt advised there are no changes now but with the environmental concerns there could be changes in the future. The County has not changed anything in the Code since 1997.

Chairman Schulteis asked if there is any further discussion on this matter. Since there are no other individuals that wish to speak, we will be closed the public hearing on this item.

**A. Discussion & Possible Action on an Ordinance to Title X of the Town Code, Zoning Ordinance creating Section 04.08 relating to Outdoor Accessory Energy Systems as a Conditional Use** - Chairman Schulteis read the agenda item, all ordinances were given to people attending the hearing to read.

Chairman Schulteis opened the public hearing for public input.

**Willard Heppe - 3156 Sherman Road** - The Plat of Survey is unnecessary, a detail drawing stating footage from all buildings, from the proposed energy systems, and distance from all adjacent property lines would be satisfactory. Why would you want to have a surveyor draw up a Plat of Survey, this would be a big expense to the property owner?

**Henry Grob - 4765 N. Mayfield Road** - concerned, without a Certified Survey Map a building that should be shown on the drawing and is not, this could cause problems.

Chairman Schulteis stated this ordinance is only for accessory heating systems, wood burns nothing else.

**Marcia Alder - 4755 N. Mayfield Road** - stated she agrees with only a site plan because some of the properties do not have a certified survey map or a plat of a survey. Her house was built in the 70's, she has neither a certified survey map nor a plat of survey showing the buildings.

**Jake Griesbach - 2668 Countryside Lane - 500'** seems restrictive could it be less.

Chairman Schulteis stated the 500' is from the dwelling not the neighbor's lot line, from house to house.

Chairman Schulteis asked if there is any further discussion on this matter. Since there are no other individuals that wish to speak we will be closed the public hearing on this item.

**B. Discussion & Possible Action on an Ordinance to Amend Title X of the Town Code, Zoning Ordinance, Section 13.02 (26A) and create Section 13.02 (10A), 13.02 (10B) relating to definition of a Livestock Unit, Domestic Animal Pet and Domestic Animal Unit -**

Chairman Schulteis read the agenda item all ordinances were given to people attending the hearing to read.

Chairman Schulteis opened the public hearing for public input

**Marcia Alder - 4755 N. Mayfield Rd. -** asked for clarification when it states Category A and Category B each one of those things is considered one unit.

Chairman Schulteis stated that is correct.

Chairman Schulteis asked if there is any further discussion on this matter. Since there are no other individuals that wish to speak we will be closed the public hearing on this item.

**C: Discussion & Possible Action to Amend Title X of the Town Code, Zoning Ordinance, Section 2.05 relating to Use Restrictions regarding Domestic Animals -**

Chairman Schulteis read the agenda item. All ordinances were given to people attending the hearing to read.

Chairman Schulteis opened the public hearing for public input.

Chairman Schulteis asked if there is anyone who wishes to speak on this item, with none the Chairman closed the public hearing on this item.

**III. Adjournment -**

A motion to adjourn was made by Supervisor Harold Groth and seconded by Supervisor Ted Merten. Motion carried. Special Town Board meeting was adjourned at 7:45 p.m.

Respectfully Submitted,

Catherine Whelan  
Town Clerk